

**SUPREME COURT MINUTES
WEDNESDAY, AUGUST 31, 2011
SAN FRANCISCO, CALIFORNIA**

S076175**PEOPLE v. LOY (ELOY)**

Rehearing denied

The petition for rehearing is denied.

S195031

H034535 Sixth Appellate District

**NALWA (SMRITI) v. CEDAR
FAIR, LP**

Petition for review granted

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Chin, and Corrigan, JJ.

S194385

G042555 Fourth Appellate District, Div. 3

**PEOPLE v. TAUCH
(JOHNNY)**

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Mesa*, S185688 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Chin, and Corrigan, JJ.

S195512

D057527 Fourth Appellate District, Div. 1

PEOPLE v. JAMES (KENT)

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Lara*, S192784 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegar, Chin, and Corrigan, JJ.

S195672

A130098 First Appellate District, Div. 1

**PEOPLE v. VORAVONGSA
(BRIAN K.)**

Petition for review granted; briefing deferred

The petition for review is granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Lara*, S192784 (see Cal. Rules of Court, rule 8.512(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 8.520, is deferred pending further order of the court.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S195913 B235347 Second Appellate District, Div. 6 **STEINER (RICHARD) v. S.C.
(VOLKSWAGEN GROUP OF
AMERICA)**

Petition for review granted; transferred to Court of Appeal, Second Appellate District, Division Six, with directions to issue an order to show cause

The petition for review is granted.

The matter is transferred to the Court of Appeal, Second Appellate District, Division Six, with directions to vacate its order denying mandate and to issue an order directing respondent court to show cause why the relief sought in the petition should not be granted. The request for a stay of the order is denied.

Votes: Cantil-Sakauye, C. J., Kennard, Baxter, Werdegarr, Chin, and Corrigan, JJ.

S126085 **DYKES (ERNEST EDWARD)
ON H.C.**

Petition for writ of habeas corpus denied (AA)

The petition for writ of habeas corpus filed on July 6, 2004, is denied.

Claim XXVII is denied as premature, without prejudice to the filing of a renewed petition within 10 days after an execution date is set.

All remaining claims are denied on their merits.

In addition, Claim XIV is procedurally barred because it was raised and rejected on appeal. (*In re Waltreus* (1965) 62 Cal.2d 218, 225.)

In addition, Claim IV (to the extent petitioner contends the prosecutor's questioning of petitioner's mother violated Evidence Code section 773, subdivision (a), and *People v. Davenport* (1988) 41 Cal.3d 247) is procedurally barred because it could have been raised on appeal, but was not. (*In re Dixon* (1953) 41 Cal.2d 756, 759.)

The following claims and subclaims are also forfeited because petitioner failed to raise them in the trial court (*In re Seaton* (2004) 34 Cal.4th 193, 200): Claim IV (to the extent petitioner contends the prosecutor engaged in misconduct by arguing, knowing the statements were untrue, that petitioner "had a good family" and "had a better upbringing, had better parents than the victim in this case did," and that there was "nothing redeeming" in petitioner); Claim XXII. Justice Werdegarr would deny these claims and subclaims solely on their merits.

S193500	B222662 Second Appellate District, Div. 7	PEOPLE v. SOLANO (ERIC J.)
Petition for review denied		
S193631	H035404 Sixth Appellate District	IN RE F.C.
Petition for review denied		
S193901	D056821/D057432 Fourth Appellate District, Div. 1	PEOPLE v. GEORGE (RAY SEAN)
Petitions for review denied		
S194082	E049774 Fourth Appellate District, Div. 2	PEOPLE v. HUNT, JR., (MARK ANTHONY)
Petition for review denied		
S194147	G035177 Fourth Appellate District, Div. 3	PEOPLE v. CASTILLO (ABEL)
Petition for review denied		
S194196	C064050 Third Appellate District	PEOPLE v. MELENDEZ, JR., (ANGELO MIGUEL)
Petition for review denied		
S194214	A123363 First Appellate District, Div. 5	PEOPLE v. GRANGER (REX EYNON)
Petition for review denied		
S194215	F059108 Fifth Appellate District	PEOPLE v. HERRERA (EDDIE JOHNNY)
Petition for review denied		
Werdegar and Corrigan, JJ., are of the opinion the petition should be granted.		
S194226	G043434 Fourth Appellate District, Div. 3	PEOPLE v. DECK (STEPHEN ROBERT)
Petition for review denied		

S194235 H034519 Sixth Appellate District

Petitions for review denied

**PEOPLE v. CARDENAS
(ROBERTO ARRIOLA)**

S194238 H036643 Sixth Appellate District

Petition for review denied

**PLANCARTE (TIMOTEO
CABRERA) ON H.C.**

S194250 H034542 Sixth Appellate District

Petition for review denied

**PEOPLE v. SANDOVAL
(JULIAN)**

S194266 D056373 Fourth Appellate District, Div. 1

Petition for review denied

**LINCOLN LIFE & ANNUITY
COMPANY OF NEW YORK v.
BERCK (JONATHAN S.)**

S194281 H035308 Sixth Appellate District

Petition for review denied

**PEOPLE v. OLMOS
(GEORGE ANTHONY)**

S194282 D056530 Fourth Appellate District, Div. 1

Petition for review denied

**ASSOCIATED GENERAL
CONTRACTORS OF
AMERICA, SAN DIEGO
CHAPTER, INC. v. SAN
DIEGO UNIFIED SCHOOL
DISTRICT**

S194299 D055160 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BROWN (MARK
JEFFREY)**

S194302 B232202 Second Appellate District, Div. 8

Petition for review denied

**MOORE (ERNEST
BERNARD) ON H.C.**

S194304 B222033 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. BARNES
(RODNEY)**

S194317 B219013 Second Appellate District, Div. 4

Petition for review denied

PEOPLE v. PRICE (CARL E.)

S194342 B233174 Second Appellate District, Div. 4

Petition for review denied

**GAUNAIR (MICHAEL) ON
H.C.**

S194365 B219981 Second Appellate District, Div. 1

Petition for review denied

**ARESO (LEENA) v.
CARMAX, INC.**

S194366 B221559 Second Appellate District, Div. 4

Petition for review denied

**AEGIS USA, INC. v.
TELETECH HOLDINGS, INC.**

S194378 B219089 Second Appellate District, Div. 1

Petition for review denied

**ARCHER (VINCENT) v.
UNITED RENTALS, INC.**

S194379 H036227 Sixth Appellate District

Petition for review denied

**PAKES (MILAN PAUL) ON
H.C.**

S194383 A128746 First Appellate District, Div. 5

Petition for review denied

**SAN FRANCISCO COUNTY
DEPARTMENT OF CHILD
SUPPORT SERVICES v.
DIERKES (MARC)**

S194390 B222964 Second Appellate District, Div. 4
Petition for review denied

**PEOPLE v. MARTIN
(THOMAS)**

S194393 B222424 Second Appellate District, Div. 5

Petition for review denied

**CONCERNED CITIZENS OF
SOUTH CENTRAL LOS
ANGELES v. CITY OF LOS
ANGELES**

S194399 E050072 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. MILLON (VIRGIL
ANTHONY)**

S194419 H035986 Sixth Appellate District
Petition for review denied

REYES (EFRAIN) ON H.C.

S194463 D056620 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. BIMSON
(STEVEN M.)**

S194478 B219567 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. RAMIREZ
(DANIEL ELIJA)**

S194479 B222665 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. SMITH (DEJOHN
NOVEL)**

S194499 E051862 Fourth Appellate District, Div. 2

**PEOPLE v. MORALES
(DENNIS DELGADO)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Brown*, S181963.

S194503 E051361 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. AREVALO
(DAVID ALEJANDRO)**

S194528 B222672 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. GALVEZ, JR.,
(EDWARD MICHAEL)**

S194529 B231239 Second Appellate District, Div. 5

Petition for review denied

**BURRIES (NATHANIEL) ON
H.C.**

S194553 A125423 First Appellate District, Div. 3

Petition for review denied

**KIZOR (ALAN) v. BRU
ARCHITECTS**

S194567 B225640 Second Appellate District, Div. 5

Petition for review denied

Chin, J., was recused and did not participate.

**RGIS, LLC v. BANK OF
AMERICA, N.A.**

S194608 C064308 Third Appellate District

Petition for review & publication request(s) denied

**STULL (BRYAN) v. NOBLE
LOGISTICS SERVICES**

S194619 D056302 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. CORDELL
(WALTER)**

S194692 H034249 Sixth Appellate District

Petition for review denied

**BAREKET (ITTAI) &
MARCUS (STACY LYNN),
MARRIAGE OF**

S194693 A129332 First Appellate District, Div. 1

Petition for review denied

**PEOPLE v. WARD
(TREVILLION)**

S194702 B228357 Second Appellate District, Div. 6

Petition for review denied

Kennard, J., is of the opinion the petition should be granted.

**SPICER (THOMAS O.) v.
CITY OF CAMARILLO**

S194735 F059670 Fifth Appellate District

Petition for review denied

IN RE K.G.

S194740 B225221 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. ALDANA (JOSE
ANTONIO)**

S194774 A128531 First Appellate District, Div. 4

Petition for review denied

**PEOPLE v. WAYNE (JOHN
MICHAEL)**

S194790 E051504 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. ZARAGOZA
(JOSE AVILA)**

S194800 C065406 Third Appellate District

Petition for review denied

**KONO (DANA WAYNE) v.
MEEKER (LAWRENCE R.)**

S194811 A132264 First Appellate District, Div. 3

Petition for review denied

**CURCANEANU (BRINDUSA)
v. S.C. (MUHAMMED)**

S194839 E053650 Fourth Appellate District, Div. 2

Petition for review denied

**VICTORY OUTREACH SAN
BERNARDINO v. WORKERS'
COMPENSATION APPEALS
BOARD**

S194846 D058118 Fourth Appellate District, Div. 1
Petition for review denied

IN RE TREVOR W.

S194882 B221569 Second Appellate District, Div. 1

Petition for review denied

**PEOPLE v. VARGAS (JOSE
LUIS)**

S194908 D056502 Fourth Appellate District, Div. 1

Petition for review denied

**PEOPLE v. DAVIS (JAMAL
AHBAKI)**

S194934 H035924 Sixth Appellate District
Petition for review denied

IN RE M.S.

S194967 C064901 Third Appellate District

Petition for review denied

**PEOPLE v. DODGE (EDDIE
SAMUEL)**

S195018 F058190 Fifth Appellate District

Petition for review denied

**PEOPLE v. CORTEZ
(ROBERTO)**

Werdegar and Corrigan, JJ., are of the opinion the petition should be granted.

S195037 B226638 Second Appellate District, Div. 1

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Brown*, S181963, and *People v. Lara*, S192784.

PEOPLE v. THOMAS (LISA)

S195040 G044221 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. GARCIA
(ORLANDO)**

S195048 B223203 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. ULLOA
(FRANCISCO)**

S195050 B220274/B223937 Second Appellate District, Div. 5 **LEVE (JEFFREY) v. PATIENT
SAFETY TECHNOLOGIES,
INC.**

Petition for review denied

S195053 F059913 Fifth Appellate District

Petition for review denied

**PEOPLE v. ROMERO, SR.,
(ALEXANDER JOSEPH)**

S195058 C063749 Third Appellate District

Petition for review denied

**PEOPLE v. LOCKETT
(DEVERICK)**

S195059 C065126 Third Appellate District

Petition for review denied

Chin, J., was recused and did not participate.

**CARTER (RONALD D.) v.
BANK OF AMERICA**

S195060 A125715 First Appellate District, Div. 3

Petition for review denied

**PEOPLE v. CARRANZA-
GUTIERREZ (ERNESTO)**

S195063 B222058 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. PARKER (MICAH
JOHNELL)**

S195064 H035239 Sixth Appellate District

PEOPLE v. KNOX (ADRIAAN DANIEL)

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Brown*, S181963.

S195071 B218883 Second Appellate District, Div. 3

PEOPLE v. RODDY (RICHARD PAUL)

Petition for review denied

S195072 G045335 Fourth Appellate District, Div. 3

McDONALD (CORDIARE) ON H.C.

Petition for review denied

S195073 B229201 Second Appellate District, Div. 8

PEOPLE v. MOORE (ERNEST BERNARD)

Petition for review denied

S195081 B234122 Second Appellate District, Div. 7

NAZEMI (PATRICK) v. S.C. (GOODMAN)

Petition for review denied

S195091 B224507 Second Appellate District, Div. 6

PEOPLE v. RUBIN (KYLE MARTIN)

Petition for review denied

S195092 C068291 Third Appellate District

PEOPLE v. DELARM (MICHAEL)

Petition for review denied

S195129 B222979 Second Appellate District, Div. 3

AIDS HEALTHCARE FOUNDATION v. LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH

Petition for review denied

The request for judicial notice is granted.

S195131 F060536 Fifth Appellate District

Petition for review denied

**PEOPLE v. WILLIAMS
(RANDY)**

S195135 B217402 Second Appellate District, Div. 3
Petition for review denied

PEOPLE v. SCALLY (TONY)

S195142 B219725 Second Appellate District, Div. 3
Petition for review denied

**PEOPLE v. WHITE (HAROLD
E.)**

S195162 C068701 Third Appellate District
Petition for review denied

**TODD (DEREK) v. S.C.
(HOFFMAN)**

S195178
Petition for writ of mandate/prohibition & application for stay denied

**CLARK (RAYMOND) v. S.C.
(PEOPLE)**

S195184 B222572 Second Appellate District, Div. 6
Petition for review denied

**PEOPLE v. CARGILE
(RODERICK)**

S195195 G044297 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. FLORES (JOSEPH
ALEXANDER)**

S195196 G042936 Fourth Appellate District, Div. 3
Petition for review denied

**PEOPLE v. SIMON (JOSE
HUGO)**

S195205 A127462 First Appellate District, Div. 2
Petition for review denied

**PEOPLE v. McCLOUD, JR.,
(RICKY JAY)**

S195209 F060150 Fifth Appellate District

Petition for review denied

**PEOPLE v. WRIGHT III
(FRANK)**

S195211 B226187 Second Appellate District, Div. 6

Petition for review denied

**CARLYLE (WILLIAM J.) v.
STATE OF CALIFORNIA**

S195217 A125080/A125670 First Appellate District, Div. 2

Petition for review denied

**DACEY (JOHN J.) v.
TARADAY (WILLIAM)**

S195808 D060279 Fourth Appellate District, Div. 1

Petition for review & application for stay denied

**GOLDEN (LISA) v. S.C.
(LASHER)**

S196052 C069084 Third Appellate District

Petition for review & application for stay denied

**HARTNETT (STACEY) v. S.C.
(HARTNETT)**

S181990

Petition for writ of habeas corpus denied

**JONES (MICHAEL SCOTT)
ON H.C.**

S188941

Petition for writ of habeas corpus denied

FRANKLIN (KIRK) ON H.C.

S191061

Petition for writ of habeas corpus denied

LEE (THAE) ON H.C.

S191064

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

**HIGHTOWER (THOMAS A.)
ON H.C.**

S191079**WHITE (DENNIS ROY) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S191089**NELSON (BURNETT) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S191091**HARNDEN (JEFF S.) ON H.C.**

Petition for writ of habeas corpus denied

S191096**CUMMINGS (DAVID) ON
H.C.**

Petition for writ of habeas corpus denied

S191114**LARA (MAURICIO) ON H.C.**

Petition for writ of habeas corpus denied

S191247**NELSON (BURNETT) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S191401**GOODMAN (STEVEN J.) ON
H.C.**

Petition for writ of habeas corpus denied

S191403**MILLENDER (THEODORE)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S191421**KILMER (FREDRICK D.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S191444**REEP (NATHON OLNEY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S191446**BROWN (TYRELL T.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S191468**TILI (VASEGA F.) ON H.C.**

Petition for writ of habeas corpus denied

S191470**OCHOA (LEE) ON H.C.**

Petition for writ of habeas corpus denied

S191473**HIGH (BILLY JOE) ON H.C.**

Petition for writ of habeas corpus denied

S191474**BORBON (DELMA) ON H.C.**

Petition for writ of habeas corpus denied

S191481**BAEZ (ANTHONY) ON H.C.**

Petition for writ of habeas corpus denied

S191497**LEE (THAE) ON H.C.**

Petition for writ of habeas corpus denied

S191500**GRANT (AUBREY L.) ON
H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S191501**SHIVES (THOMAS) ON H.C.**

Petition for writ of habeas corpus denied

S191510**CASTILLO (MARIO) ON H.C.**

Petition for writ of habeas corpus denied

S191514**PEOPLES, JR., (TIMOTHY)
ON H.C.**

Petition for writ of habeas corpus denied

S191539**DOSS (STEVEN) ON H.C.**

Petition for writ of habeas corpus denied

S191547**OLIVAS (RENE) ON H.C.**

Petition for writ of habeas corpus denied

S191554**BRYSON (EMMITT
EDWARD) ON H.C.**

Petition for writ of habeas corpus denied

S191559**HALL (RUSSELL) ON H.C.**

Petition for writ of habeas corpus denied

S191562**GARCIA (DAVID) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S191586**HARTNELL (JOSEPH GREY)
ON H.C.**

Petition for writ of habeas corpus denied

S191671**LLORENTE (SEBASTIAN)
ON H.C.**

Petition for writ of habeas corpus denied

S191730**DAWSON (CARLOS) ON H.C.**

Petition for writ of habeas corpus denied

S191731**KUTYLO (STEPHEN E.) ON
H.C.**The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S191742****ENNIS (JOSEPH) ON H.C.**

Petition for writ of habeas corpus denied

S191780**RANGEL (ANTONIO) ON
H.C.**

Petition for writ of habeas corpus denied

S191812**NUNEZ (GILBERT) ON H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S191827****HARTNELL (JOSEPH GREY)
ON H.C.**The petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750, 767-769.)**S191898****HAMPTON (DANNY
LASHAWN) ON H.C.**

Petition for writ of habeas corpus denied

S191911**McELROY (JAMES) ON H.C.**The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S191917**LOPEZ (ANTHONY) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S191924**LENIX (ARTHUR LOURDES)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734, 735.)

S191932**THOMAS (DANIEL) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S191940**DAWSON (CARLOS) ON H.C.**

Petition for writ of habeas corpus denied

S191953**GONZALEZ (NICOLAS H.)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756, 759; *In re Lindley* (1947) 29 Cal.2d 709, 723.)

S191954**GOMEZ (JOSE LEONEL) ON
H.C.**

Petition for writ of habeas corpus denied

S191974**HERNANDEZ (BENJAMIN)
ON H.C.**

Petition for writ of habeas corpus denied

S191985**IERENEO (LETUUGAIFO)
ON H.C.**

Petition for writ of habeas corpus denied

S191991**WRIGHT (JOHN P.) ON H.C.**

The petition for writ of habeas corpus is denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S192002**GUTIERREZ (CHRISTINO)
ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dixon* (1953) 41 Cal.2d 756, 759.)

S192003**McCALLUM (GENE) ON H.C.**

Petition for writ of habeas corpus denied

S192012**McCRIGHT (COLVIN) ON
H.C.**

Petition for writ of habeas corpus denied

S192026**LEWIS (JOSEPH) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Dexter* (1979) 25 Cal.3d 921, 925-926; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S192032**DIAZ (GERARDO) ON H.C.**

Petition for writ of habeas corpus denied

S192164**DAWSON (CARLOS) ON H.C.**

Petition for writ of habeas corpus denied

S194219**BARNES (RODNEY) ON H.C.**

Petition for writ of habeas corpus denied

S194945**McCALLUM (GENE) ON H.C.**

The petition for writ of habeas corpus is denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750, 767-769.)

S195662**TURNER (STEPHEN B.) ON
H.C.**

Petition for writ of habeas corpus & application for stay denied

S193729 D056445 Fourth Appellate District, Div. 1 **SAN DIEGO, COUNTY OF v. SAN DIEGO COUNTY CIVIL SERVICE COMMISSION/ (NEEDHAM)**

Publication request denied (case closed)

S194471 D055477 Fourth Appellate District, Div. 1 **CARSON (LINDA) v. MICHAELS STORES, INC.**

Publication request denied (case closed)

S194548 B222241/B223176 Second Appellate District, Div. 1 **IN RE M.C.**

Depublication request denied (case closed)

The requests for an order directing partial depublication of the opinion in the above-entitled appeal is denied.

S194664 F059907 Fifth Appellate District **SAVE OUR CROSSROADS CENTER v. CITY OF CLOVIS/(PAYNTER REALTY & INVESTMENTS, INC.)**

Publication request denied (case closed)

The requests for an order directing partial publication of the opinion in the above-entitled appeal are denied.

S194104 C063440 Third Appellate District **PEOPLE v. NGUYEN (MICHAEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194218 A126088 First Appellate District, Div. 5 **PEOPLE v. KAYIK (ERHAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194298 B227268 Second Appellate District, Div. 3 **VILLANUEVA (ROBERTO) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194300 B222580 Second Appellate District, Div. 3 **PEOPLE v. VILLANUEVA
(ROBERTO)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194400 C063651 Third Appellate District **PEOPLE v. WATTS (QUINTIN
JOEY)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194537 C061974 Third Appellate District **PEOPLE v. ANDERSON
(KIER)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 12, 2011.

S194538 H034089 Sixth Appellate District **PEOPLE v. GALVAN (IVAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194570 H035831 Sixth Appellate District **GALVAN (IVAN) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194670 D057172 Fourth Appellate District, Div. 1 **PEOPLE v. CAMPOS, JR.,
(JOEL)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194671 D056968 Fourth Appellate District, Div. 1 **PEOPLE v. JARKA (KELLE
LEE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194673 D058040 Fourth Appellate District, Div. 1 **ARAGON (MICHAEL ALAN)
ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to

October 7, 2011.

S194675 B233573 Second Appellate District, Div. 4 **FLORES (CESAR NAVIA) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194684 B222457 Second Appellate District, Div. 3 **PEOPLE v. WILLIAMS (DONALD BERNARD)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194689 B233884 Second Appellate District, Div. 1 **MUNOZ (MARCOS) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194697 B233772 Second Appellate District, Div. 7 **THOMAS (PAUL ALLEN) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 12, 2011.

S194698 F057633/F059101 Fifth Appellate District **PEOPLE v. GUZMAN (ROGER ISAAC)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 11, 2011.

S194714 H037072 Sixth Appellate District **DOBBINS (CHRISTOPHER) v. S.C. (PEOPLE)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194716 A123754 First Appellate District, Div. 2 **PEOPLE v. MATTHEWS (RICKY DEMON)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 7, 2011.

S194744 B214517 Second Appellate District, Div. 4 **PEOPLE v. WATTS
(DAMIEN)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 11, 2011.

S194745 F058464 Fifth Appellate District **PEOPLE v. GROSE
(MATTHEW ALAN)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 11, 2011.

S194750 C065545 Third Appellate District **SMITH (ROBERT) ON H.C.**

The time for granting or denying review in the above-entitled matter is hereby extended to October 11, 2011.

S194751 G042553 Fourth Appellate District, Div. 3 **PEOPLE v. MARTINEZ
(CESAR ALEXANDER)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 11, 2011.

S194761 E050175 Fourth Appellate District, Div. 2 **PEOPLE v. GONZALES
(JOSHUA ZAMORA)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 12, 2011.

S194764 B223447 Second Appellate District, Div. 4 **FERGUSON (SUSAN L.) v.
AVELO MORTGAGE, LLC**

The time for granting or denying review in the above-entitled matter is hereby extended to October 11, 2011.

S194782 C064807 Third Appellate District **PEOPLE v. MEZA (VICTOR)**

The time for granting or denying review in the above-entitled matter is hereby extended to October 12, 2011.

S194812 B222751 Second Appellate District, Div. 8 **PEOPLE v. FRANDSEN
(BENJAMIN)**

The time for granting or denying review in the above-entitled matter is hereby extended to

October 13, 2011.

S194826 F062584 Fifth Appellate District **PEZANT (JASON) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to
October 13, 2011.

S194833 E053217 Fourth Appellate District, Div. 2 **TRAGER (LISA) v. S.C. (BEBE
STORES, INC.)**
The time for granting or denying review in the above-entitled matter is hereby extended to
October 13, 2011.

S087569 **PEOPLE v. SANCHEZ (JUAN)**
Extension of time granted
Good cause appearing, counsel's request for an extension of time in which to file the appellant's
opening brief is granted to November 7, 2011. The court anticipates that after that date, only six
further extensions totaling about 360 additional days will be granted. Counsel is ordered to
inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to
meet it.
An application to file an overlength brief must be served and filed no later than 60 days before the
anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S105857 **PEOPLE v. JOHNSON
(LUMORD)**
Extension of time granted
Good cause appearing, and based upon Deputy State Public Defender Arnold A. Erickson's
representation that he anticipates filing the appellant's reply brief by August 1, 2012, counsel's
request for an extension of time in which to file that brief is granted to November 7, 2011. After
that date, only five further extensions totaling about 270 additional days are contemplated.
An application to file an overlength brief must be served and filed no later than 60 days before the
anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S113421 **PEOPLE v. HARDY
(WARREN JUSTIN)**
Extension of time granted
Good cause appearing, and based upon counsel Susan K. Shaler's representation that she
anticipates filing the appellant's opening brief by June 2013, counsel's request for an extension of
time in which to file that brief is granted to October 31, 2011. After that date, only ten further
extensions totaling about 600 additional days are contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S132253**PEOPLE v. HELZER (JUSTIN ALAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to October 25, 2011.

S137307**PEOPLE v. MORALES (JOHNNY)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to November 7, 2011.

S185447**ROLDAN (RICARDO) ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file petitioner's reply to informal response to the petition for writ of habeas corpus is extended to October 31, 2011.

S189577 B222784 Second Appellate District, Div. 1**ENNABE (FAIEZ) v. MANOSA (CARLOS)**

Extension of time granted

On application of Amicus Curiae, Consumer Attorneys of California, and good cause appearing, it is ordered that the time to serve and file the amicus brief is extended to September 8, 2011.

S190713 G040716 Fourth Appellate District, Div. 3**PEOPLE v. WILKINS (COLE ALLEN)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the answer brief on the merits is extended to September 27, 2011.

S191868 A127161 First Appellate District, Div. 5**IN RE GREG F.**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file

the answer brief on the merits is extended to October 7, 2011.

S192536 H035123 Sixth Appellate District

**PEOPLE v. ANZALONE
(CHRISTINA MARIE)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to September 28, 2011.

S194388 B220966 Second Appellate District, Div. 5

**HARRIS (KAMALA D.) v.
PAC ANCHOR
TRANSPORTATION, INC.**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to October 24, 2011.

S133510

**PEOPLE v. MICKEL
(ANDREW HAMPTON)**

Record ordered unsealed

Appellant's "Application for Order Unsealing Portions of Record on Appeal," filed August 4, 2011, is granted in part.

The Clerk is directed to unseal and make part of the public record the following sealed materials: Reporter's Transcript of in camera hearing held on May 1, 2003, pages 81 to 86; and Clerk's Transcript, volume 3, pages 643B to 643D and 643F to 643H.

Appellant's application is denied as unnecessary with respect to pages 643A and 643E of volume 3 of the Clerk's Transcript, as those pages are not under seal.

S195201

**KADMIRI (YOUSEF) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Sixth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Sixth Appellate District.

S195323

**VAN SWAIT (ARTHUR) v.
S.C. (PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above-entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S195837**ABREU (ARMANDO) v. S.C.
(PARRA)**

Transferred to Court of Appeal, Fifth Appellate District

The above-entitled matter is transferred to the Court of Appeal, Fifth Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.

S194726**ACCUSATION OF
TAKAMOTO**

Petition denied (accusation)

Kennard, J., would refer this matter to the State Bar for the initiation of disciplinary proceedings.

S195033**ACCUSATION OF MARCUS**

Petition denied (accusation)

S195138**ACCUSATION OF JOHNSON**

Petition denied (accusation)

S192798**MITCHELL-GUTTMAN ON
DISCIPLINE**

Petition for writ of review denied; recommended discipline imposed

The petition for a writ of review is denied.

The court orders that CHRISTIE BARA MITCHELL-GUTTMAN, State Bar Number 197975, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. CHRISTIE BARA MITCHELL-GUTTMAN is suspended from the practice of law for the first 30 days of probation;
2. CHRISTIE BARA MITCHELL-GUTTMAN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed on August 9, 2010; and
3. At the expiration of the period of probation, if CHRISTIE BARA MITCHELL-GUTTMAN has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

CHRISTIE BARA MITCHELL-GUTTMAN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194324**HOPTOWIT ON DISCIPLINE**

Recommended discipline imposed

The court orders that DENNIS REID HOPTOWIT, State Bar Number 61544, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DENNIS REID HOPTOWIT is suspended from the practice of law for the first 90 days of probation;
2. DENNIS REID HOPTOWIT must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on April 22, 2011, and as modified on April 27, 2011; and
3. At the expiration of the period of probation, if DENNIS REID HOPTOWIT has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

DENNIS REID HOPTOWIT must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

DENNIS REID HOPTOWIT must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with his membership fees for each of the years 2012 and 2013. If DENNIS REID HOPTOWIT fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194331**KELLER ON DISCIPLINE**

Recommended discipline imposed

The court orders that MARTIN EDGAR KELLER, State Bar Number 104159, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. MARTIN EDGAR KELLER is suspended from the practice of law for the first 30 days of probation;
2. MARTIN EDGAR KELLER must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving

Stipulation filed on May 4, 2011; and

3. At the expiration of the period of probation, if MARTIN EDGAR KELLER has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

MARTIN EDGAR KELLER must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194332**GONZALEZ ON DISCIPLINE**

Recommended discipline imposed

The court orders that DAVID GONZALEZ, State Bar Number 187618, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and he is placed on probation for two years subject to the following conditions:

1. DAVID GONZALEZ is suspended from the practice of law for the first 60 days of probation;
2. DAVID GONZALEZ must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 5, 2011; and
3. At the expiration of the period of probation, if DAVID GONZALEZ has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

DAVID GONZALEZ must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2012, 2013, and 2014. If DAVID GONZALEZ fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194337**ELAM ON DISCIPLINE**

Recommended discipline imposed

The court orders that MICHAEL HUGH ELAM, State Bar Number 156155, is suspended from the practice of law in California for three years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. MICHAEL HUGH ELAM is suspended from the practice of law for the first 18 months of probation;
2. MICHAEL HUGH ELAM must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 11, 2011; and
3. At the expiration of the period of probation, if MICHAEL HUGH ELAM has complied with all conditions of probation, the three-year period of stayed suspension will be satisfied and that suspension will be terminated.

MICHAEL HUGH ELAM must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

MICHAEL HUGH ELAM must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with his membership fees for each of the years 2012, 2013, and 2014. If MICHAEL HUGH ELAM fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194341

BOAG ON DISCIPLINE

Recommended discipline imposed

The court orders that PATRICIA MARLENE BOAG, State Bar Number 174680, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and she is placed on probation for three years subject to the following conditions:

1. PATRICIA MARLENE BOAG is suspended from the practice of law for the first 30 days of probation (with credit given for inactive enrollment, which was effective December 22, 2008, through January 20, 2009 (Bus. & Prof. Code, § 6233));
2. PATRICIA MARLENE BOAG must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Decision filed on May 11, 2011; and
3. At the expiration of the period of probation, if PATRICIA MARLENE BOAG has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

PATRICIA MARLENE BOAG must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period.

Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194346**MAYBAUM ON DISCIPLINE**

Recommended discipline imposed: disbarred

The court orders that SCOTT DOUGLAS MAYBAUM, State Bar Number 79309, is disbarred from the practice of law in California and that his name is stricken from the roll of attorneys. SCOTT DOUGLAS MAYBAUM must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194349**McALPIN ON DISCIPLINE**

Recommended discipline imposed

The court orders that KIMBERLY L. McALPIN, State Bar Number 124814, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for three years subject to the following conditions:

1. KIMBERLY L. McALPIN is suspended from the practice of law for the first 90 days of probation;
2. KIMBERLY L. McALPIN must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 12, 2011; and
3. At the expiration of the period of probation, if KIMBERLY L. McALPIN has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

KIMBERLY L. McALPIN must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

KIMBERLY L. McALPIN must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-half of the costs must be paid with her membership fees for each of the years 2012 and 2013. If KIMBERLY L. McALPIN fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194352**ROSE ON DISCIPLINE**

Recommended discipline imposed

The court orders that RUTH CECILIA ROSE, State Bar Number 145887, is suspended from the practice of law in California for one year, execution of that period of suspension is stayed, and she is placed on probation for two years subject to the following conditions:

1. RUTH CECILIA ROSE is suspended from the practice of law for the first 30 days of probation;
2. RUTH CECILIA ROSE must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 11, 2011; and
3. At the expiration of the period of probation, if RUTH CECILIA ROSE has complied with all conditions of probation, the one-year period of stayed suspension will be satisfied and that suspension will be terminated.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment. One-third of the costs must be paid with her membership fees for each of the years 2012, 2013, and 2014. If RUTH CECILIA ROSE fails to pay any installment as described above, or as may be modified by the State Bar Court, the remaining balance is due and payable immediately.

S194357**WALTERS ON DISCIPLINE**

Recommended discipline imposed

The court orders that GARY MICHAEL WALTERS, State Bar Number 134769, is suspended from the practice of law in California for two years, execution of that period of suspension is stayed, and he is placed on probation for three years subject to the following conditions:

1. GARY MICHAEL WALTERS is suspended from the practice of law for the first 18 months of probation;
2. GARY MICHAEL WALTERS must comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on May 11, 2011; and
3. At the expiration of the period of probation, if GARY MICHAEL WALTERS has complied with all conditions of probation, the two-year period of stayed suspension will be satisfied and that suspension will be terminated.

GARY MICHAEL WALTERS must also take and pass the Multistate Professional Responsibility Examination during the period of his suspension and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

GARY MICHAEL WALTERS must also comply with California Rules of Court, rule 9.20, and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section

6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

S194360**WANG ON DISCIPLINE**

Recommended discipline imposed

The court orders that ZHEN XIANG WANG, State Bar Number 229114, is suspended from the practice of law in California for eighteen (18) months, execution of that period of suspension is stayed, subject to the following conditions:

1. ZHEN XIANG WANG is suspended from the practice of law for a minimum of 90 days, and he will remain suspended until the following requirements are satisfied:
 - i. The State Bar Court grants a motion to terminate his suspension pursuant to rule 205 of the Rules of Procedure of the State Bar; and
 - ii. If he remains suspended for two years or more as a result of not satisfying the preceding condition, he must also provide proof to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law before his suspension will be terminated. (Rules Proc. of State Bar, tit. IV, Stds. for Atty. Sanctions for Prof. Misconduct, std. 1.4(c)(ii).)
2. ZHEN XIANG WANG must comply with the conditions of probation, if any, imposed by the State Bar Court as a condition for terminating his suspension.

ZHEN XIANG WANG must also take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order, or during the period of his suspension, whichever is longer and provide satisfactory proof of such passage to the State Bar's Office of Probation in Los Angeles within the same period. Failure to do so may result in suspension. (Cal. Rules of Court, rule 9.10(b).)

ZHEN XIANG WANG must also comply with rule 9.20 of the California Rules of Court and perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order. Failure to do so may result in disbarment or suspension.

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

**SUPREME COURT OF CALIFORNIA
ORAL ARGUMENT CALENDAR
SAN FRANCISCO AND
HASTINGS COLLEGE OF THE LAW SPECIAL SESSION
SEPTEMBER 6 and 7, 2011**

FIRST AMENDED

The following cases are placed upon the calendar of the Supreme Court for hearing at its courtroom in the Earl Warren Building, 350 McAllister Street, Fourth Floor, San Francisco, California, on September 6, 2011, and at its Special Session at the University of California, Hastings College of the Law, 198 McAllister Street, Fourth Floor, San Francisco, California, on September 7, 2011.

TUESDAY, SEPTEMBER 6, 2011 — 10:00 A.M.

Earl Warren Building
350 McAllister Street

- (1) S189476 Perry et al.; City and County of San Francisco v. Edmund G. Brown, Jr., as Governor, etc., et al.

1:30 P.M.

- (2) S042660 People v. Dement (Ronnie Dale) [Automatic Appeal]
(3) S066939 People v. Allen (Michael) and Johnson (Cleamon) [Automatic Appeal]

WEDNESDAY, SEPTEMBER 7, 2011 — 9:30 A.M.

University of California, Hastings College of the Law
198 McAllister Street, Fourth Floor

Opening Remarks: Historic Special Session

- (4) S184212 People v. Vang (Xue) et al.
(5) S188128 Los Angeles County Metropolitan Transportation Authority v. Alameda Produce Market LLC et al. (*Liu, J., not participating; Marchiano, P.J., assigned justice pro tempore*)

1:30 P.M.

- (6) S183372 Serrano et al. v. Stefan Merli Plastering Co., Inc. et al.
- (7) S065467 People v. Mendoza (Ronald Bruce) [Automatic Appeal]

Chief Justice

If exhibits are to be transmitted to this court, counsel must apply to the court for permission. (See Cal. Rules of Court, rule 8.224(c).)

